



TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION

In re application of : Schutt, et al.  
Serial No. : 08/841,847  
For : Osmotically Stabilized Microbubble  
Compositions  
Filed : May 5, 1997  
Examiner : Unknown  
Group Art Unit : Unknown

TO THE COMMISSIONER OF PATENTS AND TRADEMARKS

Dear Sir:

The undersigned attorney is empowered to sign this disclaimer on behalf of Alliance Pharmaceutical Corp.

A chain of title from the inventor(s) of the above-identified application which is a continuation of U.S. Application Serial No. 08/405,447, now U.S. Patent No. 5,639,443, to the current assignee as shown below:

From: Ernest G. Schutt, David P. Evitts, Rene Alta Kinner, Charles David Anderson,  
and Jeffry G. Weers

To: Alliance Pharmaceutical Corp.

The document was recorded in the Patent and Trademark Office at  
Reel 6756, Frame 588.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

Assignee declares that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Codes, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Assignee disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of U.S. Patent No. 5,639,443, and agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to such patent shall be the same as the legal title to U.S. Patent No. 5,639,443, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantor, its successors or assigns.

This does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of said earlier patent in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR

Dated: 8-21-97

By: 

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